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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 8TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR.JUSTICE V.K.SINGHAL

WRIT PETITION NO: 6767 / 1998

BETWEEN:

M/s. U.S.Tyre Retreaders  
City Press Compound,  
Behind Sangam Talkies  
Bellary - 583 101.  
( Represented by it's Proprietor  
Sri. Syed Mohammed )

....PETITIONER

( By Sri Atul K. Alur Adv., )

AND:

1. The Addl. Asst. Commissioner  
of Commercial Taxes,  
I Circle,  
Bellary.
2. The General Manager,  
District Industrial Centre,  
Government of Karnataka

Department of Industries & Commerce  
Bellary.

3. State of Karnataka  
By its Secretary,  
Department of Finance,  
Government of Karnataka,  
Vidhana Soudha,  
Bangalore - 1. ....RESPONDENTS.

( By Smt. Sujatha HCGP )

Writ Petition filed under Article  
226 and 227 of the Constitution of India  
with an affidavit praying to Quash vide  
Annex. C dt: 28.2.95 by R-1 & etc.,

Writ Petition is coming on for  
final disposal this day the court made  
the following:

VKSJ:

8/6/98

O R D E R

The petitioner may file second Appeal  
before the Karnataka Appellate Tribunal within

: 3 :

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4 weeks from today. Writ Petition is dismissed on the ground of the remedy is efficacious and has to be exhausted. The petitioner may move before the Tribunal for stay till 4 weeks no coercive steps for recovery of tax should not be taken in the matter. Even the subsequent Judgment of the Division Bench of this court could be examined by the Appellant Authority as to whether it is applicable or not.

Sd/- JUDGE

BKP

c. by

r. by

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Assistant Registrar  
High Court of Karnataka  
Bangalore - 560 001

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